

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL

In re Application of: David E. Francischelli, et al
 For: ABLATION SYSTEM AND METHOD OF USE
 Serial No.: 0/657,987
 Filed: 09-09-2003



CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this **TRANSMITTAL** and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to the Box MS Petition, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16th day of November, 2006.

Signature

Jo L. Brecht

Printed Name

MS Petition

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

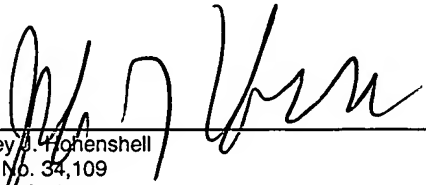
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal
- ☒ Petition to Revive Abandoned Application Under 37 C.F.R. § 1.137(b); including copy of the Response to Notice of Abandonment mailed March 27, 2006; copy of the date stamped postcard submitted with the Response to Notice of Abandonment filed on March 27, 2006; copy of the Amendment in response to the Office Action dated August 11, 2005 and accompanying Request for Extension of Time mailed February 9, 2006; and copy of the date stamped postcard submitted with the Amendment in response to Office Action filed on February 9, 2006.
- ☒ Return Postcard
- ☒ Please charge the petition fee of \$1,500.00 as set out in 37 C.F.R. § 1.17(m) to Deposit Account No. 13-2546.
- ☐ Applicant hereby petitions for a _____ months' extension of time. If an additional extension of time is required, please consider this petition therefor.
- ☐ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
- ☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Missing Parts Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

November 16, 2006


 Jeffrey B. Honenshell
 Reg. No. 34,109
 Medtronic, Inc.
 7611 Northland Drive
 Minneapolis, MN 55428
 Telephone: (763) 391-9661
 Customer No. 27581



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francischelli, *et al.*

Examiner: Vrettakos, Peter J.

Serial No.: 10/657,987

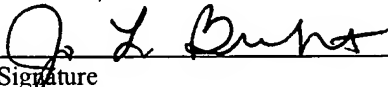
Group Art Unit: 3739

Filing Date: September 9, 2003

Docket No.: P-10081.03

Title: ABLATION SYSTEM AND METHOD OF USE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on this 16th day of November, 2006.



Signature
Jo L. Brecht

Printed Name

REQUEST TO REMOVE THE "ABANDONED" STATUS OF THIS APPLICATION OR
IN THE ALTERNATIVE
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Attention: Office of Petitions
MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A notice of abandonment for the above-identified case was mailed 2/27/06. Applicants respectfully submit that the notice of abandonment was clearly in error. A response to the notice was mailed on March 27, 2006. To date, applicants have not received a response from the PTO. A check of the public PAIR system reveals that the status remains "Abandoned".

Applicants respectfully submit this is clearly in error. However, solely in an effort to expedite prosecution, applicants are willing to petition the PTO for an unintentional abandonment of the application. Applicants respectfully submit that the "status" of

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Serial No. 10/657,987

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Title: ABLATION SYSTEM AND METHOD OF USE

abandonment is clearly in error and should be withdrawn without the need to file a petition for unintentional abandonment, however, in the alternative, applicants hereby petition for revival of this application.

The entire delay in filing the required reply from the due date for the required reply until the filing of this Petition under 37 C.F.R. § 1.137(b) was unintentional.

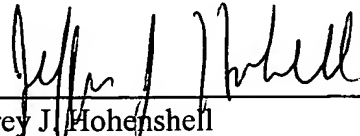
This Petition is accompanied by the following items:

1. A copy of the Response to Notice of Abandonment filed on March 27, 2006;
2. A copy of the date stamped postcard submitted with the Response to Notice of Abandonment filed on March 27, 2006;
3. A copy of the Amendment in response to the Office Action dated August 11, 2005 and accompanying Request for Extension of Time mailed February 9, 2006; and
4. A copy of the date stamped postcard submitted with the Amendment in response to the Office Action mailed February 9, 2006.

If required, please charge the fee of \$1,500.00 due under 37 C.F.R. § 1.17(m), and any additional required fees, or credit any overpayment to Deposit Account No. 13-2546.

Respectfully submitted,
David E. Francischelli, *et al.*

Date: November 16, 2006

By 
Jeffrey J. Hohenshell
Reg. No. 34,109
Sr. Patent Attorney
MEDTRONIC, INC.
710 Medtronic Parkway
Minneapolis, MN 55432
Tel. 763.391.9661
Fax. 763.391.9668
Customer No. 27581



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francischelli et al.

Examiner: Vrettakos, Peter J

Serial No.: 10/657,987

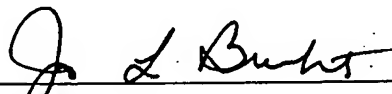
Group Art Unit: 3739

Filing Date: 09/09/2003

Docket No.: P-10081.03

Title: ABLATION SYSTEM AND METHOD OF USE

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27th day of March, 2006.



Signature
Jo L. Brecht

Printed Name

RESPONSE TO NOTICE OF ABANDONMENT

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

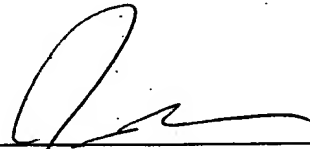
This communication is sent in response to the Notice of Abandonment communication mailed February 27, 2006. The Notice of Abandonment stated that the Applicant failed to file a timely reply to the Office Action mailed August 11, 2005. The Applicant would like to respectively point out that the Notice of Abandonment appears to have been mailed in error. A timely reply including a request for a three month extension of time was mailed February 9, 2006. The timely filed reply has been posted on Public PAIR as being received on February 13, 2006. As a result, the Notice of Abandonment appears to be in error and should be withdrawn.

Please charge any required fees, which may be due in connection with this communication to Deposit account No. 13-2546.

If the Examiner comes to believe that a telephone conversation may be useful in addressing any remaining open issues in this case, the Examiner is urged to contact the undersigned agent at 763-391-9867.

Date 3/27/06

By



James R. Keogh
Reg. No. 44,824
MEDTRONIC, INC.
MS LC340
710 Medtronic Parkway
Minneapolis, MN 55432
Tel. 763.391.9867
Fax. 763.391.9668
Customer No. 27581

JJH



The "RECEIVED" stamp of the United States Patent and Trademark Office imprinted hereon acknowledges receipt of:

- ☒ Amendment and Supplemental IDS Transmittal
- ☒ Amendment
- ☒ Petition for a Three-Month Extension of Time
- ☒ Supplemental Information Disclosure Statement (IDS)
- ☒ PTO FORM 1449
- ☒ Return Postcard

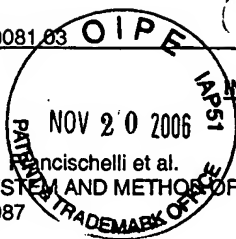
DOCKET: P-10081.03
S/N: 10/657,987

MAILED: February 9, 2006
JRK/jlb



Reviewed by Corp Dktg MAG
FEB 23 2006

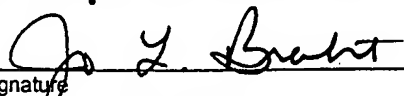
CORPORATE PATENT DEPARTMENT
FEB 21 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT AND SUPPLEMENTAL IDS TRANSMITTAL

In re Application of: Francischelli et al.
For: ABLATION SYSTEM AND METHOD OF USE
Serial No.: 10/657,987
Filed: 09/09/2003

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this **Amendment and Supplemental IDS** Transmittal and the paper(s), as described herein are being deposited with the United States Postal Service, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9th day of February, 2006.



Signature
Jo L. Brecht

Printed Name

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:


- ☒ Amendment and Supplemental IDS Transmittal
- ☒ Amendment
- ☒ Petition for a Three-Month Extension of Time
- ☒ Supplemental Information Disclosure Statement (IDS)
- ☒ PTO FORM 1449
- ☒ Return Postcard

- ☒ Please charge Deposit Account No. 13-2546 in the amount of \$1,020.00 for a three-month extension of time and \$180.00 for IDS for a **TOTAL of \$1,200.00.**

- ☒ Please charge any fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

2/9/06



James R. Keogh, Reg. No. 44,824
Telephone: (763) 391-9867
Customer No.: 27581

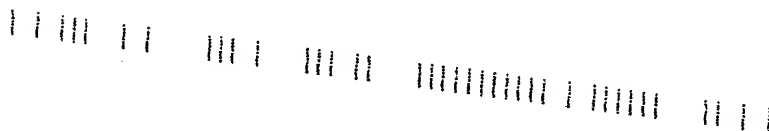


The "RECEIVED" stamp of the United States Patent and Trademark Office imprinted hereon acknowledges receipt of:

- ☒ Response Transmittal
- ☒ Response to Notice of Abandonment
- ☒ Return Postcard

DOCKET: P-10081.03
S/N: 10/657,987

MAILED: March 27, 2006
JRK/jlb



Reviewed by Corp Dktg MAG
APR 04 2006

CORPORATE PATENT DEPARTMENT
APR 08 2006

JH